Case 3:08-cr-00746-JAH Document 42 Filed 04/07/11 PageI P-(Rev. 9/00) Judgment in a Criminal Case **S**AO 245B APR 0.7 2011 Sheet 1 UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF CALIFORNIA SOUTHERN DISTRICT OF CALIFORNIA AMENDED JUDGMENT IN A CRIMINAL CASE UNITED STATES OF AMERICA (For Offenses Committed On or After November 1, 1987) Phuong Quoc Truong Case Number: 08cr0746-JAH Paul W. Blake, CJA Defendant's Attorney **REGISTRATION NO. 03843298** Modification of Imposed Term of Imprisonment for Extraordinary and Compelling Reasons (18 U.S.C. § 3582(c)(1)) THE DEFENDANT: One of the twelve-count indictment. pleaded guilty to count(s) was found guilty on count(s) after a plea of not guilty. Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offense(s): Count Number(s) Title & Section **Nature of Offense** 18 USC 371 Conspiracy The defendant is sentenced as provided in pages 2 through to the Sentencing Reform Act of 1984. of this judgment. The sentence is imposed pursuant The defendant has been found not guilty on count(s) Count(s) remaining is are are dismissed on the motion of the United States. Assessment: \$100.00 Property forfeited pursuant to order filed No fine IT IS ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States Attorney of any material change in the defendant's economic circumstances. March 29, 2011 Date of Imposition of Sentence JNITED STATES DISTRICT JUDGE

08cr0746-JAH

AO 245B (Rev. 9/00) Judgment in Criminal Case Sheet 2 — Imprisonment **DEFENDANT: Phuong Quoc Truong** CASE NUMBER: 08cr0746-JAH **IMPRISONMENT** The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of Forty-six months, concurrent to sentence imposed in case 07CR1312-JAH. Sentence imposed pursuant to Title 8 USC Section 1326(b). The court makes the following recommendations to the Bureau of Prisons: The Court recommends the 500 hour drug treatment program. The defendant is remanded to the custody of the United States Marshal. The defendant shall surrender to the United States Marshal for this district: _____ a.m. p.m. as notified by the United States Marshal. The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons: before as notified by the United States Marshal. as notified by the Probation or Pretrial Services Office. RETURN I have executed this judgment as follows: Defendant delivered on _____, with a certified copy of this judgment. UNITED STATES MARSHAL

DEPUTY UNITED STATES MARSHAL

AO 245D

(Rev. 12/03) Judgment in a Criminal Case for Revocations

Sheet 3 — Supervised Release

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DEFENDANT: Phuong Quoc Truong CASE NUMBER: 08cr0746-JAH

4.

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of: Three years.

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

For offenses committed on or after September 13, 1994:

The defendant shall not illegally possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter as determined by the court. Testing requirements will not exceed submission of more than _4_ drug tests per month during the term of supervision, unless otherwise ordered by court.

	The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of
	future substance abuse. (Check, if applicable.)
\boxtimes	The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
\boxtimes	The defendant shall cooperate in the collection of DNA as directed by the probation officer pursuant to 18 USC 3583(d).
	The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)
	The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution obligation, it is a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in this judgment.

The defendant must comply with the standard conditions that have been adopted by this court. The defendant shall also comply with any special conditions imposed.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

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(Rev. 9/00) Judgment in a Criminal Case Sheet 4 — Special Conditions AO 245B

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DEFENDANT: Phuong Quoc Truong CASE NUMBER: 08cr0746-JAH

SPECIAL CONDITIONS OF SUPERVISION

X	Submit person, residence, office or vehicle to a search, conducted by a United States Probation Officer at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release; failure to submit to a search may be grounds for revocation; the defendant shall warm any other residents that the premises may be subject to searches pursuant to this condition.
	If deported, excluded, or allowed to voluntarily return to country of origin, not reenter the United States illegally and report to the probation officer with 24 hours of any reentry to the United States; supervision waived upon deportation, exclusion or voluntary departure.
X	Not engage in the employment or profession of gambler, or as a casino worker.
X	Not gamble, frequent gaming establishments, or participate in gambling activities.
	Participate in a treatment program for gambling addiction
	Not enter the or reside in without written permission of the Court or probation officer.
X	Report all vehicles owned or operated, or in which you have an interest, to the probation officer.
	Not possess any narcotic drug or controlled substance without a lawful medical prescription.
	Not associate with known users of, smugglers of, or dealers in narcotics, controlled substances, or dangerous drugs in any form.
X	Participate in a program of mental health treatment as directed by the probation officer, take all medications as prescribed by a psychiatrist/physician, and not discontinue any medication without permission. The Court authorizes the release of the presentence report and available psychological evaluations to the mental health provider, as approved by the probation officer. The defendant may be required to contribute to the costs of services rendered in an amount to be determined by the probation officer, based on the defendant's ability to pay.
	Take no medication containing a controlled substance without valid medical prescription, and provide proof of prescription to the probation officer, if directed.
X	Mental health program should include treatment for gambling addiction.
\boxtimes	Provide complete disclosure of personal and business financial records to the probation officer as requested.
	Be prohibited from opening checking accounts or incurring new credit charges or opening additional lines of credit without approval of the probation officer.
	Seek and maintain full time employment and/or schooling or a combination of both.
	Resolve all outstanding warrants within days.
П	Complete hours of community service in a program approved by the probation officer within
一	Reside in a Residential Reentry Center (RRC) as directed by the probation officer for a period of
×	Notify the Collections Unit of the United States Attorney's Office of any financial interests obtained or transacted, until restitution is is paid in full.
	Remain in your place of residence for a period of services or undergoing medical treatment. , except while working at verifiable employment, attending religious services or undergoing medical treatment.
	Not engage in any form of telemarketing, as defined in 18 USC 2325, without the written permission of the probation officer.
	Comply with the conditions of the Home Confinement Program for a period of months and remain at your residence except for activities or employment as approved by the court or probation officer. Wear an electronic monitoring device and follow procedures specified by the probation officer. Pay the total cost of electronic monitoring services, or a portion if deemed appropriate by the probation officer.
	Participate in a program of drug or alcohol abuse treatment, including urinalysis testing and counseling, as directed by the probation officer. The defendant may be required to contribute to the costs of services rendered in an amount to be determined by the probation officer, based on the defendant's ability to pay.

AO 245S Judgment in Criminal Case Sheet 5 — Criminal Monetary Penalties			
DEFENDANT: PHUONG QUOC TRUONG CASE NUMBER: 08CR0746-JAH-01		Judgment — Page 5	of <u>16</u>
R	ESTITUTION		
The defendant shall pay restitution in the amount of _	\$5,753,416	_ unto the United States of Americ	a.
This sum shall be paid immediately. as follows:			
Pay restitution in the amount of \$5,753,416, join the amounts specified, payable forthwith or thro quarter during the period of incarceration, with t defendant's release from prison at the rate of \$50 rata basis. See attachment. Restitution order is considered.	ugh the Inmate Financial F the payment of any remain 00.00 per month. Distribut	Responsibility Program at a rate of \$2 ing balance to be made following the ion of restitution to the victims is to	25.00 per
rata basis. See attachment. Restitution order is c	concurrent to case 0/CR13	12-JAH.	
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The Court has determined that the defendant does	not have the ability to	pay interest. It is ordered that:	
The interest requirement is waived.			
The interest is modified as follows:			

RESTITUTION CHART FOR PHUONG QUOC TRUONG CASE NOS. 07-CR-1312-JAH; 08-CR-00746-JAH

that Court order defendant PHUONG QUOC TRUONG to pay total restitution concurrently in Case Nos. 07-CR-1312-JAH and 08-CR-00746-JAH of \$5,753,416 to the following victims in the amounts specified, joint and several as specified:

Sycuan Resort and Casino

\$2,965 to Sycuan Resort and Casino, 3007 Dehesa Road, El Cajon, CA 92019.

Cache Creek Indian Bingo and Casino

\$297,173 to Cache Creek Indian Bingo and Casino, P.O. Box 65, Brooks, CA 95606, joint and several with:

<u>Defendant</u>	Amount	Case No.	<u>Judgment</u>
George Michael Lee	\$117,488	07-CR-1312-JAH 07-CR-3241-JAH 07-CR-3255-JAH	DE 651 DE 15 DE 14
Son Hong Johnson	\$297,173	07-CR-1312-JAH 08-CR-1867-JAH	DE 701 DE 16
Han Truong Nguyen	\$297,173	07-CR-1312-JAH	DE 366

Listed defendants have entered guilty pleas. Those already sentenced have Docket Entry for Judgment.

Emerald Queen Casino

\$251,634 to Emerald Queen Casino, 2024 East 29th Street, Tacoma, Washington 98404, joint and several with:

<u>Defendant</u>	<u>Amount</u>	Case No.	Judgment
Martin Lee Aronson	\$251,634	07-CR-1312-JAH 08-CR-0158-JAH	DE 695 DE 16
Son Hong Johnson .	\$251,634	07-CR-1312-JAH 08-CR-1867-JAH	DE 701 DE 16
Hogan Ho	\$ 29,000	08-CR-3040-JLS	DE 310
Outtama Keovongsa	\$ 8,500	08-CR-3040-JLS	DE 295
Leap Kong	\$ 20,700	08-CR-3040-JLS	DE 263
Darrell Saicocie	\$ 26,900	08-CR-3040-JLS	DE 307
Phally Ly	\$ 8,750	08-CR-3143-DMS	DE 28
Sisouvanh Mounlasy	\$ 28,000	08-CR-2519-JM	DE 46
Navin Nith	\$ 29,350	08-CR-2958-WQH	DE 30
Roderick Vang Thor	\$ 27,500	08-CR-2643-JAH	DE 23

Isle of Capri, Westlake

\$813,603 to Isle of Capri, 100 Westlake Avenue, Westlake, LA 70669, joint and several with:

<u>Defendant</u>	<u>Amount</u>	Case No.	Judgment
Martin Lee Aronson	\$813,603	07-CR-1312-JAH 08-CR-0158-JAH	DE 695 DE 16
George Michael Lee	\$813,603	07-CR-1312-JAH 07-CR-3241-JAH 07-CR-3255-JAH	DE 651 DE 15 DE 14
Tien Duc Vu	\$101,160	07-CR-1312-JAH 08-CR-2069-JAH	DE 660 DE 17
Son Hong Johnson	\$813,603	07-CR-1312-JAH 08-CR-1867-JAH	DE 701 DE 16
Tuan Mong Le	\$ 81,160	07-CR-1312-JAH	DE 440
Hogan Ho	\$108,510	08-CR-3040-JLS	DE 310
Thang Viet Huynh	\$114,775	08-CR-3040-JLS	
Hop Nguyen	\$ 64,488	09-CR-0228-WQH	DE 27

Isle of Capri, Bossier City

\$255,550 to Isle of Capri, 711 Isle of Capri Blvd., Bossier City, LA 71111, joint and several with:

<u>Defendant</u>	Amount	Case No.	<u>Judgment</u>
Martin Lee Aronson	\$255,550	07-CR-1312-JAH 08-CR-0158-JAH	DE 695 DE 16
George Michael Lee	\$255,550	07-CR-1312-JAH 07-CR-3241-JAH 07-CR-3255-JAH	DE 651 DE 15 DE 14
Tien Duc Vu	\$ 19,625	07-CR-1312-JAH 08-CR-2069-JAH	DE 660 DE 17
Son Hong Johnson	\$255,550	07-CR-1312-JAH 08-CR-1867-JAH	DE 701 DE 16
Tuan Mong Le	\$203,375	07-CR-1312-JAH	DE 440
Qua Le	\$ 40,700	08-CR-3040-JLS	DE 273
Hop Nguyen	\$ 47,750	09-CR-0228-WQH	DE 27

Monte Carlo Resort and Casino

\$24,225 to Monte Carlo Resort and Casino, 2770 Las Vegas Blvd. South, Las Vegas, NV 89109, joint and several with:

<u>Defendant</u>	<u>Amount</u>	Case No.	Judgment
Martin Lee Aronson	\$ 24,225	07-CR-1312-JAH 08-CR-0158-JAH	DE 695 DE 16
George Michael Lee	\$ 24,225	07-CR-1312-JAH 07-CR-3241-JAH 07-CR-3255-JAH	DE 651 DE 15 DE 14
Son Hong Johnson	\$ 24,225	07-CR-1312-JAH 08-CR-1867-JAH	DE 701 DE 16
Thang Viet Huynh	\$ 24,225	08-CR-3040-JLS	

Beau Rivage Casino

\$304,536 to Beau Rivage Casino, 875 Beach Blvd., Biloxi, MS 39530, joint and several with:

<u>Defendant</u>	<u>Amount</u>	Case No.	<u>Judgment</u>
Phat Ngoc Tran	\$ 66,000	07-CR-1312-JAH	DE 659
Martin Lee Aronson	\$304,536	07-CR-1312-JAH 08-CR-0158-JAH	DE 695 DE 16
George Michael Lee	\$304,536	07-CR-1312-JAH 07-CR-3241-JAH 07-CR-3255-JAH	DE 651 DE 15 DE 14
Tien Duc Vu	\$ 66,000	07-CR-1312-JAH 08-CR-2069-JAH	DE 660 DE 17
Son Hong Johnson	\$304,536	07-CR-1312-JAH 08-CR-1867-JAH	DE 701 DE 16
Willy Tran	\$ 56,100	07-CR-1312-JAH	DE 475
Tuan Mong Le	\$304,536	07-CR-1312-JAH	DE 440
Thang Viet Huynh	\$ 44,870	08-CR-3040-JLS	
Hop Nguyen	\$ 21,000	09-CR-0228-WQH	DE 27

Mohegan Sun Casino

\$540,125 to Mohegan Sun Casino, 1 Mohegan Sun Blvd., Uncasville, CT 06382, joint and several with:

<u>Defendant</u>	<u>Amount</u>	Case No.	Judgment
Phat Ngoc Tran	\$540,125	07-CR-1312-JAH	DE 659
Martin Lee Aronson	\$540,125	07-CR-1312-JAH 08-CR-0158-JAH	DE 695 DE 16
Liem Thanh Lam	\$104,425	07-CR-1312-JAH	DE 439
Tien Duc Vu	\$379,225	07-CR-1312-JAH 08-CR-2069-JAH	DE 660 DE 17
Son Hong Johnson	\$540,125	07-CR-1312-JAH 08-CR-1867-JAH	DE 701 DE 16
Willy Tran	\$514,400	07-CR-1312-JAH	DE 475
Tuan Mong Le	\$540,125	07-CR-1312-JAH	DE 440
Duc Cong Nguyen	\$422,600	07-CR-1312-JAH	DE 624
Han Truong Nguyen	\$515,500	07-CR-1312-JAH	DE 366

Foxwoods Resort Casino

\$945,530 to Foxwoods Resort Casino, 39 Norwich-Westerly Road, Ledyard, CT 06339, joint and several with:

<u>Defendant</u>	<u>Amount</u>	Case No.	Judgment
Phat Ngoc Tran	\$945,530	07-CR-1312-JAH	DE 659
Martin Lee Aronson	\$540,125	07-CR-1312-JAH 08-CR-0158-JAH	DE 695 DE 16
Tien Duc Vu	\$906,005	07-CR-1312-JAH 08-CR-2069-JAH	DE 660 DE 17
Son Hong Johnson	\$945,530	07-CR-1312-JAH 08-CR-1867-JAH	DE 701 DE 16
Barry Wellford	\$945,530	07-CR-1312-JAH	
Willy Tran	\$945,530	07-CR-1312-JAH	DE 475
Tuan Mong Le	\$945,530	07-CR-1312-JAH	DE 440
Duc Cong Nguyen	\$522,455	07-CR-1312-JAH	DE 624

Resorts East Chicago Casino

\$1,052,475² to Resorts East Chicago Casino, East Chicago, IN, c/o Nicolas R. Amato, Resorts International Holdings, Atlantic City Hilton Hotel and Casino, Boston and Boardwalk, Atlantic City, NJ 08401, joint and several with:

<u>Defendant</u>	Amount	Case No.	Judgment
Phat Ngoc Tran	\$1,052,475	07-CR-1312-JAH	DE 659
Martin Lee Aronson	\$1,052,475	07-CR-1312-JAH 08-CR-0158-JAH	DE 695 DE 16
Son Hong Johnson	\$1,052,475	07-CR-1312-JAH 08-CR-1867-JAH	DE 701 DE 16
Willy Tran	\$1,052,475	07-CR-1312-JAH	DE 475
Thang Viet Huynh	\$ 77,854	08-CR-3040-JLS	

The government's spreadsheet of restitution amounts due to victim casinos, calculates the loss to Resorts East at \$1,563,775. Resorts East was reimbursed \$511,300 by Federal Insurance. \$1,563,775 - \$511,300 = \$1,052,475, the figure used. Resorts East Casino claimed a loss of \$1,603,367, which is \$39,592 more than the government's figure. Since Federal Insurance paid Resorts East for approximately 33% of the loss, restitution is split 67% to Resorts East and 33% to Federal Insurance. Thang Viet Huynh cashed out \$116,200 at Resorts East. \$116,200 X 67% = \$77,854 in restitution to the casino and \$38,346 to Federal Insurance. Although a CTR-C shows Han Truong Nguyen was at Resorts East, the casino is not listed as a victim for Restitution in his Judgment (DE 366), however Federal Insurance is listed for \$808,300.

Federal Insurance Co.

\$511,300 to Federal Insurance Co., Mark Ross Esq., 600 Jefferson Street, Ste. 512, Lafayette, LA 70501, joint and several with:

<u>Defendant</u>	Amount	Case No.	<u>Judgment</u>
Phat Ngoc Tran	\$511,300	07-CR-1312-JAH	DE 659
Martin Lee Aronson	\$511,300	07-CR-1312-JAH 08-CR-0158-JAH	DE 695 DE 16
Son Hong Johnson	\$511,300	07-CR-1312-JAH 08-CR-1867-JAH	DE 701 DE 16
Willy Tran	\$511,300	07-CR-1312-JAH	DE 475
Han Truong Nguyen	\$511,300	07-CR-1312-JAH	DE 366
Thang Viet Huynh	\$ 38,346	08-CR-3040-JLS	

Majestic Star Casino

\$273,075 to Majestic Star Casino, 1 Buffington Harbor Drive, Gary, Indiana 46406, joint and several with:

<u>Defendant</u>	Amount	Case No.	<u>Judgment</u>
Phat Ngoc Tran	\$273,075	07-CR-1312-JAH	DE 659
Martin Lee Aronson	\$273,075	07-CR-1312-JAH 08-CR-0158-JAH	DE 695 DE 16
Son Hong Johnson	\$273,075	07-CR-1312-JAH 08-CR-1867-JAH	DE 701 DE 16
Willy Trạn	\$192,775	07-CR-1312-JAH	DE 475

<u>Horseshoe Casino</u>

\$429,825 to Horseshoe Casino, 3 Attn: John Taylor, 1021 Casino Center Drive, Robinsonville, MS 38664, joint and several with:

Defendant	Amount	Case No.	Judgment
Phat Ngoc Tran	\$429,825	07-CR-1312-JAH	DE 659
Martin Lee Aronson	\$429,825	07-CR-1312-JAH 08-CR-0158-JAH	DE 695 DE 16
Liem Thanh Lam	\$ 99,000	07-CR-1312-JAH	DE 439
Son Hong Johnson	\$429,835	07-CR-1312-JAH 08-CR-1867-JAH	DE 701 DE 16
Barry Wellford	\$268,625	07-CR-1312-JAH	
Willy Tran	\$429,835	07-CR-1312-JAH	DE 475
Tuan Mong Le	\$239,800	07-CR-1312-JAH	DE 440
Han Truong Nguyen	\$ 99,000	07-CR-1312-JAH	DE 366
Renee Cuc Quang	\$ 80,000	08-CR-3041-JAH	DE 21

³ Combines both Horseshoe Casinos in Bossier City and Tunica.

Gold Strike Casino and Resort

\$51,400 to Gold Strike Casino and Resort, 1010 Casino Center Drive, Robinsonville, MS 38664, joint and several with:

<u>Defendant</u>	<u>Amount</u>	Case No.	<u>Judgment</u>
Phat Ngoc Tran	\$ 51,400	07-CR-1312-JAH	DE 659
Martin Lee Aronson	\$ 51,400	07-CR-1312-JAH 08-CR-0158-JAH	DE 695 DE 16
Liem Thanh Lam	\$ 51,400	07-CR-1312-JAH	DE 439
Son Hong Johnson	\$ 51,400	07-CR-1312-JAH 08-CR-1867-JAH	DE 701 DE 16
Barry Wellford	\$ 51,400	07-CR-1312-JAH	
Willy Tran	\$ 51,400	07-CR-1312-JAH	DE 475
Renee Cuc Quang	\$ 51,400	08-CR-3041-JAH	DE 21